

REMARKS

Double Patenting

Claims 1-12 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,718,477 to Plants, et al.

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground.


Applicant has included a terminal disclaimer along with this response. Therefore, Applicant respectfully submits that the nonstatutory double patenting rejection is moot. Applicant respectfully submits that Claims 1-12 are currently in condition for allowance.

Reconsideration and withdrawal of this rejection is respectfully requested.

If the Examiner has any questions regarding this application or this response, the Examiner is requested to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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